UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/24000
26 May 1992

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 752 (1992)

INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 9 of its resolution 752 (1992), in which the Council requested me to keep under active review the feasibility of protecting international humanitarian relief programmes in Bosnia and Herzegovina, including the option mentioned in paragraph 29 of my report (S/23900), as well as the feasibility of "ensuring safe and secure access to Sarajevo airport". The Council requested me to report to it by 26 May 1992.

2. Since that request was made, there has been discussion of the possibility of action by the Security Council to take action under chapter VII of the Charter of the United Nations against the authorities in Belgrade and one Member State has proposed an urgent formal meeting of the Council with this end in view (S/23997). The present report responds only to the request in paragraph 9 of resolution 752 (1992) and does not examine the implications that the possible imposition of sanctions might have for the humanitarian situation in Bosnia and Herzegovina. Nor does it deal with the questions raised in paragraph 4 of resolution 752 (1992), which are under active study and on which I shall shortly present a separate report.

3. In the light of this request, I have conducted further consultations with the Emergency Relief Coordinator, the United Nations High Commissioner for Refugees, the Commander of the United Nations Protection Force in Yugoslavia (UNPROFOR) and representatives of the International Committee of the Red Cross (ICRC).

I. HUMANITARIAN SITUATION IN BOSNIA AND HERZEGOVINA

4. The following paragraphs provide a factual summary of present humanitarian conditions in Bosnia and Herzegovina and of attempts by international organizations to provide emergency relief.

5. Reports from the region, including those from the Office of the United Nations High Commissioner for Refugees (UNHCR), indicate that the devastation of Bosnia and Herzegovina continues, and that the displacement of the civilian population from its towns and villages is proceeding on a scale not seen in Europe since the Second World War. Many reports bear witness to the fact that even basic humanitarian rules for the protection of the civilian population in armed conflicts are being seriously violated.

6. In my last report, which was dated 12 May 1992 (S/23900), it was indicated that over 520,000 persons had been displaced in Bosnia and Herzegovina. While it has not been possible to obtain reliable up-to-date figures, it is clear that displacements have continued on a massive scale and the number of displaced persons must have increased substantially during the last two weeks. There has also been a grievous deterioration in the plight of civilians trapped in cities besieged by various irregular forces and in some cases also by the Yugoslav People's Army (JNA). The situation has been further complicated by repeated failures to implement agreements for the safe withdrawal of JNA troops surrounded by Bosnian territorial forces in Sarajevo.

7. In Sarajevo alone, excluding those whom it is believed receive supplies with the cooperation of Serb forces, it is estimated that from 300,000 to 400,000 people are in need of emergency relief.

8. Convoys organized by UNHCR and carrying humanitarian relief supplies have until recently successfully made deliveries to areas of Bosnia and Herzegovina, including Sarajevo. However, the deteriorating security situation in and around Sarajevo has latterly prevented UNHCR from continuing delivery of assistance to and from that city. Relief deliveries to other areas in Bosnia have instead been organized from Zagreb to the towns of Cazin, Bihac, Banja Luka and Doboj, and from Belgrade to the town of Tuzla. These deliveries were made after protracted negotiations for safe and unhindered passage with all regular and irregular forces and other parties in the areas concerned. Nevertheless, the convoys have been stopped at roadblocks and allowed to continue only after further negotiations. When attempting to deliver relief supplies to Tesanj and Zenica on 22 May 1992, UNHCR encountered major difficulties, as a consequence of which 12 trucks, with their contents of humanitarian relief items, were commandeered by local armed elements. After long and arduous negotiations with the Serbian authorities in Pale, Belgrade and Banja Luka, the 12 trucks were returned to UNHCR in Banja Luka. Following this sign of good will UNHCR hopes to be able to resume its relief activities in Bosnia and Herzegovina.

9. As for ICRC, the intensification of the conflict and the simultaneous deterioration of the general security situation have seriously hindered its activities. Following the attack on an ICRC convoy on 18 May 1992 at Sarajevo leading to the death of one of its delegates, the institution is reassessing its plan of action in Bosnia and Herzegovina. From 21 to 23 May 1992, plenipotentiary representatives of all parties to the conflict met at Geneva under the auspices of ICRC and signed an agreement on the application of the basic principles of humanitarian law in the present conflict. Practical

measures to ensure the application in the field of the provisions contained in the agreement are presently being worked out by ICRC. ICRC now has some 20 delegates in Bosnia and Herzegovina whose main activities include visits to some 1,500 prisoners, participation in the release of prisoners, the provision of relief and medical supplies and the exchange of Red Cross family messages. ICRC escorts ambulances on the war front and recovers war dead. It is also involved in the evacuation of specially vulnerable groups, such as wounded, sick and handicapped people.

10. As for UNPROFOR, about two thirds of its headquarters personnel were temporarily relocated from Sarajevo on 16 and 17 May 1992. The military observers deployed in the Mostar region left the area on 14 May 1992, when risks to their lives reached an unacceptable level, and have been redeployed in the United Nations Protection Areas. The approximately 90 personnel who remain in Sarajevo have continued to perform the following tasks, in so far as security considerations permit: arranging, hosting and sometimes chairing meetings between the hostile parties on cease-fires and related matters; accompanying delegations to such meetings, as necessary; arranging and witnessing exchanges of prisoners of war, wounded and war dead; and such other humanitarian tasks as the Chief Military Observer judges feasible. In carrying out these tasks UNPROFOR personnel have been exposed to growing risks; in recent days they have on several occasions been the deliberate targets of mortar and small arms fire coming from various sides.

II. ANALYSIS OF OPTIONS AVAILABLE

A. Protection through respect for agreements

11. As I stated in my last report (S/23900, para. 29), "the best form of protection is respect for agreements, binding on all the armed parties". Respect for such agreements has been achieved in other confused and dangerous situations around the world, following negotiations conducted by officials of the United Nations, the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP). The success of these efforts has been attributed to the exclusively humanitarian nature of the activities concerned. The United Nations has thus gained increasing respect for the principles governing the unimpeded delivery of relief supplies in conflict situations, namely:

(a) Relief must be given to all who are in need;

(b) The delivery of relief must be seen by all the parties as a neutral and humanitarian act;

(c) Adequate conditions of security must prevail;

(d) There must be international monitoring of the relief programme.

12. If such agreements could be achieved in Yugoslavia, their implementation could, as envisaged in paragraph 29 of my last report, be monitored by United Nations military observers who could accompany the convoys and be present at

points of delivery and distribution. Whether, in practice, the presence of international military personnel would be desirable or whether it might call in question the exclusively humanitarian nature of the activity are questions that would have to be addressed at the time. The views of the humanitarian agencies would obviously be of importance in forming a judgement on this point and on other aspects of the implementation of such agreements. They are already experienced in the organization of road convoys and maintaining constant liaison with the representatives of the warring parties. I understand that they would not object to inspection (within reasonable limits) of the supplies themselves if this was necessary to obtain guarantees of safe passage.

13. With regard to delivery by air, it would be necessary to obtain the agreement of all concerned for the opening of the necessary airports for this purpose. In this connection, I was informed by President Izetbegovic of Bosnia and Herzegovina on 19 May 1992 that civilian and military airports in the Republic were being destroyed by JNA. These included the Mostar and Tuzla airports as well as the military one at Bihac.

14. As for Sarajevo Airport, UNPROFOR raised with JNA and the Serb side on 19 May 1992 the possibility of its being opened for delivery of humanitarian supplies. The initial response was that this could be considered, provided that all shipments were checked to ensure that no weapons were included. I instructed UNPROFOR to follow up on this and press for the earliest possible agreement on the reopening of Sarajevo Airport. The Commander of Serbian forces in Bosnia and Herzegovina in Sarajevo confirmed on 26 May 1992 that he was ready to participate in immediate negotiations and did not mention his previous insistence that this issue be linked to the withdrawal of JNA personnel blocked in their barracks in the city. This is being followed up by UNPROFOR.

15. A further possible way of delivering supplies, especially in remote areas, would be by airdrops from helicopters. This too would require negotiated agreements to ensure the safety of the helicopters and their crews.

16. The difficulty with all the above options is that their feasibility depends on agreements being negotiated and honoured. Experience in recent weeks, however, is that, while the various hostile parties in Bosnia and Herzegovina have concluded a number of agreements, their performance in honouring them has been lamentable. Nor does the presence of international observers appear to gain their respect or curb their behaviour. These difficulties are compounded by the fact that many of the road blocks and weapons systems are manned by undisciplined elements who appear to owe allegiance to no recognized political authority with whom an agreement can be negotiated.

17. On 26 May 1992 I received a letter from Mr. Branko Kostic, Vice-President of the Federal Presidency in Belgrade, which is being circulated as document S/24007 and which addresses, inter alia, the question of humanitarian relief in Bosnia and Herzegovina. In that letter, Mr. Kostic stated that the

authorities in Belgrade are ready and willing to do their utmost to help unhindered engagement of the United Nations and international humanitarian organizations in Bosnia and Herzegovina and would continue to use their influence with the warring parties in Bosnia and Herzegovina to permit humanitarian aid to be transported there. The letter goes on to say that the authorities in Belgrade appreciate the extreme importance of reopening Sarajevo Airport and will publicly appeal to all those involved to lift the blockade immediately in order to permit the delivery of humanitarian aid and to allow UNPROFOR to take over control of the airport.

B. Armed protection

18. If it is not possible to achieve the negotiation of, or respect for, agreements for the protection of humanitarian relief deliveries it may be necessary to consider armed protection. Unless one assumes that the simple presence of United Nations troops would by itself deter attacks on, or hindrance of, road convoys - and all recent experience in Bosnia and Herzegovina indicates that this assumption cannot be made - it would require the deployment of troops in some force on each occasion to clear the route in advance of the convoy and protect it as it passed. The main danger to the convoys would come not from road blocks, which would be comparatively easy to deal with, but from fire by mortars and artillery located some distance from the road. In assessing the risk of hostile action, it has to be remembered that for some of the parties the infliction of hardship on civilians is actually a war aim, as it leads to the desired movements of population from certain areas. Therefore there appears to be a predisposition to use force to obstruct relief supplies.

19. As regards guaranteeing the security of Sarajevo Airport for the delivery of humanitarian supplies, that would, as observed in my last report, require United Nations troops to secure the surrounding hills from which the airport and its approaches can easily be shelled. This too would be a potential combat operation for which a considerable body of troops would be required, with appropriate armament.

20. A less ambitious possibility would be to use United Nations troops to provide armed protection for convoys of humanitarian supplies en route from Sarajevo Airport to distribution centres within that city. There would need to be an agreement that forces deployed in the surrounding hills would not fire at the airport or its approaches when humanitarian supplies were arriving there. The role of the United Nations troops would be to protect convoys within the city from attack by uncontrolled armed elements who might be operating there. This would require an addition to the UNPROFOR mandate, the provision to that Force of extra troops and consultations with troop-contributing Governments if it was proposed to use any existing UNPROFOR personnel for this purpose.

III. OBSERVATIONS

21. It is for the Security Council to decide whether to deploy United Nations troops, in sufficient strength and with the necessary mandate, to undertake armed protection of international humanitarian aid. Combat missions of the kind described in paragraphs 18 and 19 above would be extremely difficult and expensive; the first would require United Nations troops to secure several hundred kilometres of roads and the second would require them to establish a defensive perimeter around Sarajevo, which the Force Commander of UNPROFOR estimates would need to have a radius of 30 kilometres. I would also ask the Council, when it considers this matter, to bear in mind a point made in my last report, namely that any mandate requiring United Nations troops to take hostile or coercive action against certain factions in Bosnia and Herzegovina could make it more difficult to secure the cooperation which UNPROFOR will need if it is to succeed in fulfilling its mandate in the United Nations Protected Areas in Croatia.

22. More limited protection operations in Sarajevo City, as described in paragraph 20, seem a more feasible possibility, provided that there were reasonable guarantees that hostile action would not be taken against the airport while humanitarian supplies were being delivered.

23. I believe that a more promising course would be to make a determined effort to persuade the warring parties to conclude and honour agreements permitting the unimpeded delivery of relief supplies to all suffering civilians in Bosnia and Herzegovina. The most recent developments, including the letter from the Belgrade authorities referred to in paragraph 17 above and a more receptive attitude by the Serb military leader in Sarajevo, suggest that conditions may be more propitious for the conclusion of such agreements than they have been in recent weeks.

24. The Chief Military Observer of UNPROFOR, who leads the sole remaining international presence in Sarajevo, will continue to do all that he can to arrange the necessary negotiations and assist them to reach a successful conclusion.

25. I have asked Mr. Jan Eliasson, the Emergency Relief Coordinator, to follow this matter very closely and to take any steps which he judges necessary to facilitate the early negotiation of agreements that would allow unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, in close consultation with UNHCR, ICRC and other agencies involved.